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May 31, 2019

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MuckRock News
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Somerville, MA 02144-2516

Sent via email to 73487-70500835@requests.muckrock.com and US Mail.

RE: Public Records Request May 24, 2019

To Whom it May Concern:

The Metropolitan Utilities District of Omaha (“District”) is in receipt of a letter sent on May 24, 2019. That letter referenced an email of May 16, 2019 that was not received by the District. The letter then requests certain materials related to the District’s ownership and operation of its water treatment plants. Please allow this letter to respond to that public records request.

Specifically, the request is for contracts, services agreements, memorandums of understanding or like agreements related to the ownership, operation and/or management of the water system, the sewer system, a water treatment plant, and/or wastewater treatment. It also requests any request for qualifications, request for proposals, or other bids for the ownership, operation and/or management of the water system, the sewer system, a water treatment plant and/or wastewater treatment. Finally, it requests communications between January 1, 2018 and May 1, 2019 between representatives of the District and representatives of water companies or other private water system operators including Suez, Veolia, American Water and Aqua America.

The District objects to the request as being overly broad. I am not able to comply with this request with reasonable, good faith efforts because it is overly broad. I respectfully request you consider amending the request to be more specific.

Notwithstanding this objection, I will inform you of the following information that may be relevant to your request. The District owns and operates three water treatment plants within the Omaha metropolitan area. The District does not own or operate or manage any wastewater treatment plants or any sewer systems. The District has not

engaged in any conversations, contracts, proposals or requests for the same with any entity regarding the ownership, operation or management of its water treatment plants.

The District does have many vendor and services contracts for those plants though. Without greater specificity, I cannot provide each of those agreements without a more detailed request. Some agreements are related to the security of the specific water treatment plants, some may simply involve the use of third party testing laboratories. Again, the request is extensive and far reaching and should be more specific.

The District has conducted an inquiry into the third request entitled "communications". The District has not engaged in any communications for the relevant time-period with Suez, Veolia, American Water or Aqua America. The District has engaged in communications with other water providers, namely other Nebraska and Iowa municipalities during the requested time-period. Those municipalities are not private water system operators. Absent a more specific request, the communications with those municipalities cannot be compiled within four business days.

The District reserves its right to deny this request on the basis that the requested documentation is not a public record as defined by Neb. Rev. Stat. § 84-712.01.

Inasmuch as part of your request is being denied pursuant to Neb. Rev. Stat. § 84-712.04, I am providing the following information:

1. The reason for the denial (see above);
2. My name and contact information, as I am responsible for the decision to deny the request (see above); and
3. You are entitled to potential administrative or judicial rights of review of this decision under Neb. Rev. Stat. § 84-712.03.

If you have any questions, please feel free to contact me.

Sincerely,



Mark Mendenhall
SVP/General Counsel